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09/160,424

09/25/1998

SCOT L. SCHNEEBELI

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EXAMINER

WILLETT, STEPHAN F

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/160,424

Applicant(s)

SCHNEEBELI ET AL.

Examiner

Stephan F. Willett

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22, 24-31, 33-41, 43-46 and 48-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22, 24-31, 33-41, 43-46, 48-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. In view of the response filed on 5/8/05, PROSECUTION IS HEREBY REOPENED, a Supervisory Patent Examiner(SPE) has approved reopening prosecution, as set forth below.
2. To avoid abandonment of the application, appellant must exercise one of the following two options:
 - (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
 - (2) request reinstatement of the appeal
1. If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Objections

1. Claim 24 is/are objected to because of the following informalities: Improper dependency. Appropriate correction is required.

Claim Rejections - 35 USC 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 6, 9, 14-16, 27, 30-31, 34, 37, 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al. with Patent Number 6,026,371 in view of Inohara et al. with Patent Number 6,182,111.

3. Regarding claims 1, 14, 51, Beck teaches production servers as “at least one database server”, col. 1-2, lines 67-1 that provide production content to content users of a computer network in response to requests to route to the production server from the content users, col. 2, lines 47-50, 57-60. Beck teaches a staging server that is connected to the first and second production servers, wherein staging content is generated, edited and/or tested on the staging server, col. 3, lines 28-30 by an administrator as “a business or organization wishing to preview their customized multimedia advertisement material can select to have this material imported to the staging database”, col. 3, lines 32-35 which inherently means access is limited to said “business or organization” that can review their proprietary content, wherein said “business or organization” is assuming the role of an administrator to “review”, col. 3, line 48 and as applicant’s specification describes prior art legacy firewall systems with their access levels as Raptor Eagle Software, pg. 8, line 5 edit or test content, col. 3, lines 39-42 wherein the staging content is automatically transferred from the staging server to the first and second production servers for publication on the first and second servers, col. 3, lines 10-12, 49-50. Beck teaches in response to a publish command, col. 6, line 49 received on the staging server, col. 4, lines 6-10, wherein the transferred staging content published on each of the production servers is the same staging content, col. 4, lines 18-19. Beck teaches wherein the transferred staging content replaces the production content on the production server such that the transferred content becomes subsequent production content accessible by the content users of the computer network,

col. 2, lines 57-60. Beck teaches replicating the staging content to at least first and second temporary directories, col. 3, lines 29-32, 46.

4. Beck teaches the invention in the above claims except for explicitly teaching a transferring content at substantially the same time to more than one production server.

5. In that Beck operates to publish data, the artisan would have looked to the content network arts for details of implementing a publishing system. In that art, Inohara, a related network content provider, teaches “this necessary data may be cached at two or more second servers among a plurality of servers”, col. 5-6, lines 66-1 in order to provide data. Inohara specifically teaches “a request is transmitted at the same time to a plurality of servers”, col. 14, lines 22-24; but also “coherence of caches” by “multicasting”, col. 3, lines 34-36; col. 4, lines 27; and “news is copied to all servers”, col. 4, line 57; “list of caches possessed by the first server to one or more servers”, col. 6, lines 46-47, 55-64; col. 8, lines 40-47; as “inter-server message”, col. 22, lines 36-39, 57-19; and col. 23, lines 38-40. Further, Inohara suggests that “the first server transmits part or whole of a list of caches possessed by the first server to one or more second servers”, col. 6, lines 45-47 which will result from implementing publish commands.

6. The motivation to incorporate sending data to multiple servers at substantially the same time via a standard multicast command insures that data redundancy is timely maintained.. Thus, it would have been obvious to one of ordinary skill in the art to incomplete simultaneous data updates as taught in Beck into the publisher described in Inohara because Inohara operates with network content and Beck suggests that optimization can be obtained when publishing content. Therefore, by the above rational, the above claims are rejected.

7. Regarding claims 30, Beck teaches a staging server that is connected to the first and

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second production servers, col. 3, lines 28-30; limiting access to the staging server such that the server is not accessible by content users of the computer network as “a business or organization wishing to preview their customized multimedia advertisement material can select to have this material imported to the staging database”, col. 3, lines 32-35 which inherently means access is limited to said “business or organization” that can review their proprietary content, wherein said “business or organization” is assuming the role of the first access level, col. 3, line 48; restricting access to the staging server in response to a command associated with the first access level as “review”, col. 3, line 48, “preview their customized” content, col. 3, line 33, and as applicant’s specification describes prior art legacy firewall systems with their access levels as Raptor Eagle Software, pg. 8, line 5; staging content is automatically transferred from the staging server to the first and second production servers for publication on the first and second servers, col. 3, lines 10-12, 49-50 in response to a publish command, col. 6, line 49 received on the staging server, col. 4, lines 6-10, wherein the transferred staging content published on each of the production servers is the same staging content, col. 4, lines 18-19. Beck teaches restricting the automatic transfer of staging content in response to a command associated with a second access level, col. 6, lines 20, 49.

8. Beck teaches the invention in the above claims except for explicitly teaching a transferring content at substantially the same time to more than one production server.

9. In that Beck operates to publish data, the artisan would have looked to the content network arts for details of implementing a publishing system. In that art, Inohara, a related network content provider, teaches “this necessary data may be cached at two or more second servers among a plurality of servers”, col. 5-6, lines 66-1 in order to provide data. Inohara

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specifically teaches “a request is transmitted at the same time to a plurality of servers”, col. 14, lines 22-24; but also “coherence of caches” by “multicasting”, col. 3, lines 34-36; col. 4, lines 27; and “news is copied to all servers”, col. 4, line 57; “list of caches possessed by the first server to one or more servers”, col. 6, lines 46-47, 55-64; col. 8, lines 40-47; as “inter-server message”, col. 22, lines 36-39, 57-19; and col. 23, lines 38-40. Further, Inohara suggests that “the first server transmits part or whole of a list of caches possessed by the first server to one or more second servers”, col. 6, lines 45-47 which will result from implementing publish commands.

10. The motivation to incorporate sending data to multiple servers at substantially the same time via a standard multicast command insures that data redundancy is timely maintained. Thus, it would have been obvious to one of ordinary skill in the art to incomplete simultaneous data updates as taught in Beck into the publisher described in Inohara because Inohara operates with network content and Beck suggests that optimization can be obtained when publishing content. Therefore, by the above rational, the above claims are rejected.

11. Regarding claims 37, Beck teaches a staging server that is connected to the first and second production servers, wherein staging content is generated, edited and/or tested on the staging server, col. 3, lines 28-30; limiting access to the staging server such that the server is not accessible by content users of the computer network as “a business or organization wishing to preview their customized multimedia advertisement material can select to have this material imported to the staging database”, col. 3, lines 32-35 which inherently means access is limited to said “business or organization” that can review their proprietary content, wherein said “business or organization” is assuming the role of the first access level, col. 3, line 48; staging content is generated, edited and/or tested on the staging server, col. 3, lines 28-30; a firewall restricting

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access to the staging server in response to a command associated with the first access level as “review”, col. 3, line 48, “preview their customized” content, col. 3, line 33 and “authorization”, col. 6, line 49 and as applicant’s specification describes prior art legacy firewall systems with their access levels as Raptor Eagle Software, pg. 8, line 5; staging content is automatically transferred from the staging server to the first and second production servers for publication on the first and second servers, col. 3, lines 10-12, 49-50 in response to a publish command, col. 6, line 49 received on the staging server, col. 4, lines 6-10, wherein the transferred staging content published on each of the production servers is the same staging content, col. 4, lines 18-19. Beck teaches restricting the automatic transfer of staging content in response to a command associated with a second access level, col. 6, lines 20, 49.

12. Beck teaches the invention in the above claims except for explicitly teaching a transferring content at substantially the same time to more than one production server.

13. In that Beck operates to publish data, the artisan would have looked to the content network arts for details of implementing a publishing system. In that art, Inohara, a related network content provider, teaches “this necessary data may be cached at two or more second servers among a plurality of servers”, col. 5-6, lines 66-1 in order to provide data. Inohara specifically teaches “a request is transmitted at the same time to a plurality of servers”, col. 14, lines 22-24; but also “coherence of caches” by “multicasting”, col. 3, lines 34-36; col. 4, lines 27; and “news is copied to all servers”, col. 4, line 57; “list of caches possessed by the first server to one or more servers”, col. 6, lines 46-47, 55-64; col. 8, lines 40-47; as “inter-server message”, col. 22, lines 36-39, 57-19; and col. 23, lines 38-40. Further, Inohara suggests that “the first server transmits part or whole of a list of caches possessed by the first server to one or more

second servers", col. 6, lines 45-47 which will result from implementing publish commands.

14. The motivation to incorporate sending data to multiple servers at substantially the same time via a standard multicast command insures that data redundancy is timely maintained. Thus, it would have been obvious to one of ordinary skill in the art to incomplete simultaneous data updates as taught in Beck into the publisher described in Inohara because Inohara operates with network content and Beck suggests that optimization can be obtained when publishing content. Therefore, by the above rational, the above claims are rejected.

15. Regarding claims 34, Beck teaches replacing staging content published on each of the production servers is the same staging content, col. 4, lines 18-19. Therefore, by the above rational, the above claims are rejected.

16. Regarding claim(s) 2, 15, Beck teaches a file server for storing the staging content, col. 3, lines 14-15. Thus, the above claim limitations are obvious in view of the combination.

17. Regarding claim(s) 16, Beck teaches storing on the fileserver before transferring data to the production server, col. 3, lines 28-29. Thus, the above claim limitations are obvious in view of the combination.

1. Regarding claims 6 and 31, Beck teaches adding or changing additional content, col. 3, lines 40-42. Thus, the above claim limitations are obvious in view of the combination.

18. Regarding claim(s) 52, Beck teaches commanding publication as "authorization", col. 6, line 49. Thus, the above claim limitations are obvious in view of the combination.

2. Regarding claim(s) 53-54, Beck teaches replicating content and verifying content, col. 3, lines 40-42. Thus, the above claim limitations are obvious in view of the combination.

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1. Claims 38, 41, 43-44, 46, 48-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al. with Patent Number 6,026,371 in view of Inohara et al. with Patent Number 6,182,111, and Jain et al. with Patent Number 5,806,075.

19. Regarding claims 41, and 46, Beck teaches production servers as “at least one database server”, col. 1-2, lines 67-1 that provide production content to content users of a computer network in response to requests to route to the production server from the content users, col. 2, lines 47-50, 57-60. Beck teaches a staging server that is connected to the first and second production servers, wherein the staging content is automatically transferred from the staging server to the first and second production servers for publication on the first and second servers, col. 3, lines 10-12, 49-50. Beck teaches in response to a publish command, col. 6, line 49 received on the staging server, col. 4, lines 6-10, wherein the transferred staging content published on each of the production servers is the same staging content, col. 4, lines 18-19. Beck teaches wherein the transferred staging content replaces the production content on the production server such that the transferred content becomes subsequent production content accessible by the content users of the computer network, col. 2, lines 57-60.

20. Beck teaches the invention in the above claims except for explicitly teaching a transferring content at substantially the same time to more than one production server, and replacing the content on the production servers in response to a rollback command.

21. In that Beck operates to publish data, the artisan would have looked to the content network arts for details of implementing a publishing system. In that art, Inohara, a related network content provider, teaches “this necessary data may be cached at two or more second servers among a plurality of servers”, col. 5-6, lines 66-1 in order to provide data. Inohara

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specifically teaches “a request is transmitted at the same time to a plurality of servers”, col. 14, lines 22-24; but also “coherence of caches” by “multicasting”, col. 3, lines 34-36; col. 4, lines 27; and “news is copied to all servers”, col. 4, line 57; “list of caches possessed by the first server to one or more servers”, col. 6, lines 46-47, 55-64; col. 8, lines 40-47; as “inter-server message”, col. 22, lines 36-39, 57-19; and col. 23, lines 38-40. Further, Inohara suggests that “the first server transmits part or whole of a list of caches possessed by the first server to one or more second servers”, col. 6, lines 45-47 which will result from implementing publish commands.

22. The motivation to incorporate sending data to multiple servers at substantially the same time via a standard multicast command insures that data redundancy is timely maintained. Thus, it would have been obvious to one of ordinary skill in the art to incomplete simultaneous data updates as taught in Beck into the publisher described in Inohara because Inohara operates with network content and Beck suggests that optimization can be obtained when publishing content.

23. The combination of Inohara and Beck teaches the invention in the above claims except for replacing the content on the production servers in response to a rollback command.

24. In that Beck and Inohara operates to publish data, the artisan would have looked to the content network arts for details of implementing a publishing system. In that art, Jain, a related network content provider, teaches “duplicate copies of the same data may be resident at more than one location”, col. 5, lines 13-15 in order to provide data. Jain specifically teaches “the ability to communicate an exception, to rollback any changes to a data copy”, col. 22, lines 1-2. Further, Jain suggests “the ability to identify conflicting modifications”, col. 21, lines 62-63 which will result from implementing publish commands.

25. The motivation to incorporate replacing the content on the production servers in response

to a rollback command insures that data is accurate. Thus, it would have been obvious to one of ordinary skill in the art to replace the content on the production servers in response to a rollback command as taught in Jain into the publisher described in Beck and Inohara because Beck and Inohara operates with network content and Beck and Inohara suggests that optimization can be obtained when publishing content. Therefore, by the above rational, the above claims are rejected.

26. Regarding claim(s) 9, 27, 33, 38, Beck and Inohara teaches the invention in the above claims except for explicitly teaching replacing the content on the production servers in response to a rollback or replacement type command. In that Beck and Inohara operates to publish data, the artisan would have looked to the content network arts for details of implementing a publishing system. In that art, Jain, a related network content provider, teaches "duplicate copies of the same data may be resident at more than one location", col. 5, lines 13-15 in order to provide data. Jain specifically teaches "the ability to communicate an exception, to rollback any changes to a data copy", col. 22, lines 1-2. Further, Jain suggests "the ability to identify conflicting modifications", col. 21, lines 62-63 which will result from implementing publish commands. The motivation to incorporate replacing the content on the production servers in response to a rollback command insures that data redundancy is accurate. Thus, it would have been obvious to one of ordinary skill in the art to replace the content on the production servers in response to a rollback command as taught in Jain into the publisher described in Beck and Inohara because Beck and Inohara operates with network content and Beck and Inohara suggests that optimization can be obtained when publishing content. Therefore, by the above rational, the above claims are rejected.

27. Regarding claim(s) 43-44, 48-49, Beck teaches limiting access to segments or “portions”, col. 3, line 39 in the staging server such that the server is not accessible by content users of the computer network as “a business or organization wishing to preview their customized multimedia advertisement material can select to have this material imported to the staging database”, col. 3, lines 32-35 which inherently means access is limited to said “business or organization” that can review their proprietary content, wherein said “business or organization” is assuming the role of the first access level, col. 3, line 48; a first access level as “review”, col. 3, line 48, “preview their customized” content, col. 3, line 33 and “authorization”, col. 6, line 49 and as applicant’s specification describes prior art legacy firewall systems with their access levels as Raptor Eagle Software, pg. 8, line 5. Beck teaches restricting the automatic transfer of staging content in response to a command associated with a second access level, col. 6, lines 20, 49. Thus, the above claim limitations are obvious in view of the combination.

2. Claims 3-5, 7-8, 10-13, 17-22, 24-29, 35-36, 39-40, 45, 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al. with Patent Number 6,026,371 in view of Inohara et al. with Patent Number 6,182,111 and Chang et al. with Patent Number 6,134,584.

2. In view of the rejections of claims 1, 14, 30, 37, 41, and 46 regarding claims 7, 12, 25, 29, 36, 40, 45, 50, The combination of Beck and Inohara teaches the invention in the above claim(s) except for explicitly teaching a scheduling system. In that Beck operates to publish data, the artisan would have looked to the content network arts for details of implementing a publishing system. In that art, Chang, a related network content provider, teaches downloading of data, col. 5, lines 52-54 in order to provide data at a specified time. Chang specifically teaches

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"scheduling data download", col. 5, lines 59-63. Further, Chang suggests that "this invention includes the abilities of allowing the user to schedule data download from those web cites requiring user id and password", col. 6, lines 63-65 will result from implementing the scheduled publish commands. The motivation to incorporate a data scheduling insures that data is timely sent. Thus, it would have been obvious to one of ordinary skill in the art to incorporate the schedule system as taught in Chang into the publisher described in Beck and Inohara because Beck and Inohara operates with network content and Chang suggests that optimization can be obtained when publishing content. Therefore, by the above rational, the above claims are rejected.

3. Regarding claim(s) 3, 10, 17, 20-22, Change teaches a firewall to limit access to a staging server, the staging server is operable to prevent alteration, verify user access, and two access levels, and user security as "user id and password if required", col. 2, lines 11-13; col. 6, lines 15-17. Thus, the above claim limitations are obvious in view of the combination.

4. Regarding claim(s) 4, 18, 35, 39, Change teaches segmenting of the staging content, and for a plurality of users or administrators as "individually", col. 6, line 25 or in Beck as processing for a plurality of servers, col. 1, line 67. Thus, the above claim limitations are obvious in view of the combination.

3. Regarding claim(s) 5, 19, Beck teaches the same address with the staging and production servers as one database server for both, col. 2, lines 1-3. Thus, the above claim limitations are obvious in view of the combination.

5. Regarding claims 8, 12, 26, Change teaches canceling content delivery, col. 6, lines 47. Thus, the above claim limitations are obvious in view of the combination.

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6. Regarding claim(s) 11, 12, 28-29, 36, Change teaches providing information such as log files and status information, col. 6, line 46. Thus, the above claim limitations are obvious in view of the combination.

7. Regarding claims 13, Inohara teaches a remote server, col. 8, lines 6-7. Thus, the above claim limitations are obvious in view of the combination.

8. Regarding claim(s) 24, Beck teaches requesting additional content as “select[ing]”, col. 3, line 34. Thus, the above claim limitations are obvious in view of the combination.

Response to Amendment

4. As to the rejection of claims 1, 14, 30, 37, 41, 46, and 51, the applicants argued that the combination of Beck in view of Inohara does not render the claimed invention obvious because the combination does not teach or suggest the transfer of staging content from a staging server to first and second production servers for publication at substantially the same time (Paper filed 8/15/05, page 6, lines 18-19). The applicant argued that since the claim language requires the *publication* to occur at substantially the same time, the combination of Beck in view of Inohara cannot render the claimed invention obvious since it teaches a system in which the *transfer* occurs at the same time. This argument is unpersuasive. The Examiner fails to see why the claim language, when considered in view of the specification, requires this interpretation. Consider the language of claim 1. The modifier “at substantially the same time” might be considered to modify publication. However, the alternative interpretation, where it modifies transfer, is reasonable in view of the specification. In the specification from page 10 line 28 to page 11 line 29, particularly page 11 lines 22-24, the applicants describe how it is the replication

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(i.e., transfer) of data from the staging server to the production servers that results in the content becoming publicly available (i.e., published). More specifically, the specification describes at page 11 lines 22-24 how the content is replicated, or transferred, substantially simultaneously to all of the production servers. The remainder of the specification appears to describe a system in which the placement of the replicated content on the production server results in the content becoming publicly available. In other words, the content becomes published upon receipt by the publication server. The specification does not appear to describe a system where the content can be transferred at any time from the staging server to the various production servers and then, through some coordination mechanism, the various production servers somehow make the content substantially simultaneously publicly available (i.e., published). The specification should describe such a system if it is to provide support for the claim construction argued by the applicants. The specification does not. Since the applicants' argument is based on a claim construction that is inconsistent with the specification, the argument is not persuasive.

5. Applicant suggests Inohara does not teach "publication at substantially the same time", Paper Filed 8/15/05, Page 7, line 4 with regard to claims 1, 14, 30, 37, 41, 46, and 51. However, Inohara also teaches "coherence of caches" by "multicasting", col. 3, lines 34-36; col. 4, lines 27; and "news is copied to all servers", col. 4, line 57; "list of caches possessed by the first server to one or more servers", col. 6, lines 46-47, 55-64; col. 8, lines 40-47; as "inter-server message", col. 22, lines 36-39, 57-19; and col. 23, lines 38-40. All of the above data transfers involve transferring data at substantially the same time. Thus, Applicant's arguments can not be held as persuasive regarding patentability.

6. In response to applicant's argument that the references fail to show certain features of

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applicant's invention, Paper Filed 8/15/05, Page 7, lines 8-12, it is noted that the features upon which applicant relies are not recited in the rejected claim(s) 1, 14 and 51. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Thus, Applicant's arguments can not be held as persuasive regarding patentability.

7. Applicant suggests Beck does not teach first and second access levels associated with a first user and second user, respectively, Paper Filed 8/15/05, Page 7, lines 8-12 with regard to claims 30 and 37. First, claim 30 does not have a first and second user, thus claim 30 differs from claim 37. However, Beck teaches restricting access to the staging server in response to a command associated with the first access level as "review", col. 3, line 48, "preview their customized" content, col. 3, line 33, and as applicant's specification describes prior art legacy firewall systems with their access levels as Raptor Eagle Software, pg. 8, line 5. Beck teaches restricting the automatic transfer of staging content in response to a command associated with a second access level, col. 6, lines 20, 49. Thus, Applicant's arguments can not be held as persuasive regarding patentability.

8. Applicant's arguments with respect to the rejection(s) of the claim(s) 41 and 46 in Paper Filed 8/15/05, Page 7, lines 19-22 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

9. Applicant's arguments with respect to the rejection(s) of the other references in Paper Filed 8/15/05, pages 8-12 have been fully considered and are persuasive. Therefore, the rejections have been withdrawn.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is disclosed in the Notice of References Cited.
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (571)272-3890. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.
3. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.
4. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

sfw

October 26, 2006



ANDREW CALDWELL
PATENT EXAMINER